



**THE AMERICAN LEGION AUXILIARY**

**DEPARTMENT OF GEORGIA**

**CONSTITUTION AND BY-LAWS**

**2004**

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**CONSTITUTION AND BY-LAWS**

**Mrs. Agnes Harrell, Chairman**

**Mrs. Fannie Farley**

**Mrs. Kitty Barrett**

**CONSTITUTION  
OF THE  
AMERICAN LEGION AUXILIARY  
DEPARTMENT OF GEORGIA**

**PREAMBLE**

For God and Country, we associate ourselves for the following purposes:

To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a one hundred percent Americanism; to preserve the memories and incidents of our associations during the Great Wars; to inculcate a sense of individual obligation to the community, state, and nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom, and democracy; to participate in and contribute to the accomplishment of the aims and purposes of The American Legion; to consecrate and sanctify our association by our devotion to mutual helpfulness.

**ARTICLE I - NAME**

Section 1. The name of this organization shall be American Legion Auxiliary, Department of Georgia.

**ARTICLE II – NATURE**

Section 1. The American Legion Auxiliary is a civilian organization of women.

Section 2. The American Legion Auxiliary shall be absolutely non-political, and shall not be used for dissemination of partisan principals, nor for the promotion of the candidacy of any person seeking public office or preferment.

**ARTICLE III - ELIGIBILITY**

Section 1. Membership in the American Legion Auxiliary shall be limited to the mothers, wives, daughters, sisters, granddaughters, great granddaughters, grandmothers and female step relatives of members of The American Legion who were in the Armed Forces of the United States during any of the following periods; April 6, 1917 to November 11,1918; December 7,1941 to December 31, 1946; June 25, 1950 to January 31, 1955; February 28, 1961 to May 7, 1975; August 24, 1982 to July 31,1984; December 20, 1989 to January 31, 1990; August 2,1990 to date of cessation of hostilities as determined by the Government of the United States; all dates inclusive, or who being citizens of the United States at the time of their entry therein, served on active duty in the Armed Forces of any of the Governments associated with the United States during any of said period, and died in the line of duty or after

honorable discharge; and to those women who of their own right are eligible for membership in the American Legion.

Section 2. There shall be two classes of membership, Senior and Junior, (a) Senior membership shall be composed of members over the age of eighteen (18); provided, however, that a wife under the age of eighteen (18) years, who is eligible under Section 1 of this article shall be classed as a Senior member, (b) Junior membership shall consist of that group under the age of eighteen (18) years, whose activities shall be supervised by the Senior membership. Upon reaching the age of eighteen (18) years, Junior members shall automatically be admitted into Senior membership with full privileges, (c) Dues of both classes shall be paid annually or for life.

#### **ARTICLE IV - DEPARTMENT OFFICERS**

Section 1. The Department Convention shall elect a President, National Executive Committee-woman and her Alternate, First Vice-President, Second Vice President, Historian, Chaplain and a President from each district.

Section 2. The President shall appoint a Secretary-Treasurer subject to confirmation by the Department Executive Committee.

Section 3. All Department officers, members of the Department Executive Committee and Standing Committee Chairmen, shall be in good standing in their Units.

#### **ARTICLE V - DEPARTMENT EXECUTIVE COMMITTEE**

Section 1. Between Department Conventions, the Administrative power shall be vested in the Department Executive Committee, which shall be composed of the Department President, First Vice-President, Second Vice-President, Chaplain, Historian, District Presidents, Past Department Presidents, and National Executive Committee- woman or her Alternative.

#### **ARTICLE VI - DEPARTMENT CONVENTION**

Section 1. The legislative body of the American Legion Auxiliary, Department of Georgia, shall be the Department Convention to be held annually at the same time and place as the Department Convention of the American Legion.

Section 2. Representation in the Department Convention shall be by Unit.

Section 3. Delegates-at-large to the Department Convention shall be the elective officers, members of the Department Executive Committee, the Chairman of Standing Committees, Hospital Representatives and all Past Department Presidents in good standing in their Units and with vote to be exercised with their respective Units.

Section 4. The delegates and alternates to the Department Convention shall be elected at Unit meetings held not less than two (2) weeks prior to the Convention. Alternates shall have priority in the order of their election.

Section 5. Each Unit shall be entitled to two (2) delegates and one (1) additional delegate for each twenty-five (25) members or major fraction thereof whose current dues have been received by the Department Treasury thirty (30) days prior to the Convention and to one alternate for each delegate. Units shall be entitled to one (1) vote each for Past Department Presidents, Current Department Officers and Department Chairmen.

Section 6. The Unit delegation shall include the Unit President who shall be chairman of the delegation.

Section 7. Each delegate shall be entitled to one (1) vote. The vote of any absent and not represented by an alternate shall be cast by the majority vote of the delegates present from the Unit.

Section 8. Department delegates and alternates to the National Convention shall be nominated and elected by the Department Convention. Each Department shall be entitled to the number of delegates as prescribed by the National Constitution and By-Laws.

Section 9. A quorum shall exist at the Department Convention when one third of the Units are represented.

#### **ARTICLE VII - RESOLUTIONS**

Section 1. All resolutions presented to the Department for action must be in Resolutions Committee three weeks prior to the Convention.

Section 2. Four (4) copies of all resolutions shall be required and these must bear the signature of at least three (3) members of the Auxiliary who are in good standing in their Units.

Section 3. Resolutions concerning business deemed by the President and Resolutions Committee as being of an emergency nature may be presented to the Convention for action.

Section 4. All resolutions presented to the Convention must be read twice, with at least twelve (12) hours elapsing between readings.

Section 5. All resolutions presented to the Convention relative to the expenditure of money shall be previously submitted to the finance Committee of the Department.

#### **ARTICLE VIII - NATIONAL CONVENTION**

Section 1. Department delegates and alternates to the National Convention shall be nominated and elected by the Department Convention. Each Department shall be entitled to the number of delegates as prescribed by the National Constitution and By-Laws.

Section 2. Delegates include the out-going Department President, who will be Chairman of the Delegation, the in-coming Department President and the Department Secretary-Treasurer.

Section 3. Other Delegates and Alternates to which the Department is entitled shall be nominated by the Districts and elected at the Department Convention.

## **ARTICLE IX - AMENDMENTS**

Section 1. This Constitution may be amended at any Department Convention by vote of two-third of the total authorized representation thereat, provided the proposed amendments shall have been submitted through the Department Secretary to the several Units and members of the Department Executive Committee by mailing same to them at least thirty (30) days prior to the convening of the next Department Convention; provided further, it may be amended by unanimous vote at any Department Convention without notice; and provided further, that all proposed amendments shall be read at a regular session of the Convention at least twelve (12) hours before the vote is taken.

Section 2. Units may propose amendments provided said amendments have been officially approved by the Units.

Section 3. Amendments adopted by the National Convention action shall automatically become effective in this Department.

## **BY-LAWS OF THE**

### **AMERICAN LEGION AUXILIARY DEPARTMENT OF GEORGIA**

#### **ARTICLE I - DEPARTMENT ORGANIZATION**

Section 1. The Department of Georgia, American Legion Auxiliary shall be composed of Units, which shall be organized into Districts corresponding to Districts of The American Legion Department of Georgia.

Section 2. Districts and Units shall function in accordance with National and Departmental Constitution and By-Laws and such standing rules as shall be prescribed by the Department.

Section 3. All circulars and instructions shall issue from The American Legion Auxiliary of the Department of Georgia.

#### **ARTICLE II - ELECTION OF OFFICERS**

Section 1. The election of the following officers shall be by secret ballot; Department President, Department First Vice-President, Department Second Vice-President, Department Chaplain, Department Historian, District Presidents and Alternates. A majority of the votes cast shall be necessary to elect. When there is but one (1) candidate for an office, the nominee shall be elected by voice vote.

Section 2. There shall be a Department Secretary- Treasurer to be nominated by the Department President at the Post Executive Committee meeting and elected by the same body.

Section 3. Such officers shall serve until the adjournment of the succeeding Department Convention or until their successors are chosen. Vacancies in these offices occurring between Department Conventions shall be filled by the Department Executive Committee.

Section 4. The election of officers and delegates shall be governed by convention rules.

#### **ARTICLE III- DUTIES OF OFFICERS**

Section 1. It shall be the duty of the Department President to preside at all meetings of the Department Convention assembled and the Department Executive Committee, to appoint a parliamentarian and appoint members of standing committees and create such other committees and appoint members thereon as she deems advisable and to appoint all officers not otherwise provided for, with approval of the Department Executive Committee. She shall be ex-officio member of all committees and shall perform such other duties as are usually incident to the office.

Section 2. It shall be the duty of the out-going President to compile and edit the Book of Reports.

Section 3. The Department First Vice-President shall assume the duties of the President in her absence, resignation or in the event of her death. By virtue of her office she shall be the chairman of the Leadership committee.

Section 4. The Department Second Vice- President shall assume the duties of the President or First Vice-President, in their absence. By virtue of her office, she shall be Chairman of the Membership Committee.

Section 5. The Department Secretary shall conduct all official correspondence under the direction of the Department President. She shall keep a record of the proceedings of the Department Executive meetings and Conventions. She shall transmit reports and bulletins of all Department Standing Committees and send out all literature and calls of meetings. In the event of the death or resignation of the Department President, the Department Secretary shall immediately summon the Department Executive Committee for the election of a successor. She shall keep all the records and perform all other duties incident to the office. The Department Treasurer shall be the custodian of the funds of the Department. She shall sign all checks in disbursing the funds of the organization and make reports when called for by the Department President. Her accounts shall be audited annually by an auditing committee. She shall turn over to her successor all moneys, vouchers, books, and papers belonging to the Department upon the approval of the said successor's bond.

Section 6. The Department Chaplain shall offer prayer at all Department meetings and perform such other duties as needed.

Section 7. It shall be the duty of the Department Historian to compile the Historical records of the Department Organization and to make a report to the National Historian.

Section 8. The District President shall be in charge of the affairs of the American Legion Auxiliary in her respective District under the direction of the Department President. It shall be her duty to encourage and promote in every way the growth, welfare, and accomplishments of the Units; she shall be charged with the responsibility of coordinating the activities of the Units and assisting in the organization of new Units in her District. She shall preside at all District meetings during the year, and at Convention District caucuses. She shall present a quarterly written report to the Department President.

Section 9. The Alternate District President shall in every way assist the District President and act for her in her absence.

Section 10. All officers shall be elected annually except the National Executive Committee-woman and her alternate, whose term of office shall be in accordance with the National Constitution and By- Laws, and the Department Secretary-Treasurer, who shall be appointed by the Department President, subject to the approval of the Department Executive Committee.

Section 11. No elective officer shall be eligible for re-election except under extraordinary circumstances approved by the Department Executive Committee.

Section 12. All officers shall be installed on the last day of the Convention and with the Executive Committee shall assume the duties of their respective offices.

Section 13. A vacancy existing in an office in the Department for any cause other than the expiration of a term shall be filled for the unexpired term by a majority vote of the Executive Committee.

#### **ARTICLE IV - DEPARTMENT EXECUTIVE COMMITTEE**

Section 1. *Powers:* The Department Executive Committee shall have general supervision and control over all property belonging to the Department and shall supervise the administration of the Department according to the Constitution and By- Laws and such other rulings as the Department may prescribe.

Section 2. *Meetings:* The Department Executive Committee shall meet at the Convention City immediately preceding the holding of the Annual Convention, and within twenty-four hours after the adjournment of the Annual Convention and at such other times as a meeting thereof shall be called by the President or any five members of the Executive Committee.

Section 3. All Past Presidents, in good standing in their local Units shall be members for life of the Department Executive Committee with vote.

Section 4. Between Conventions, all vacancies in the office of the Department shall be filled for the unexpired term by the Department Executive Committee and said Committee may delegate this authority to the President, subject to the ratification of the Committee at its next meeting.

Section 5. All questions affecting the election, eligibility and conduct of the National Committee- woman or of the Department officers or members of Department Executive Committee shall be referred to and determined by the Executive Committee of the Department which shall be the final authority thereon.

Section 6. *Quorum:* Nine (9) shall constitute a quorum of the Department Executive Committee.

#### **ARTICLE V - COMMITTEES**

Section 1. The Department President shall appoint the following committees; Americanism, Auxiliary Emergency Fund, Cavalcade of Memories, Children & Youth, Community Service, Constitution & By-Laws, Education, Finance, Girls State, Junior Activities, Legislative, National Security, Past President's Parley, Poppy, Poppy Anchor Construction and Dedication, Poppy Launching, Public Relations, and Veterans Affairs and Rehabilitation. Each shall function as a standing committee. The President shall appoint other committees as she deems advisable. All appointments are subject to the ratification of the Department Executive Committee.

Section 2. The finance committee is composed of three (3) members. One member shall be appointed each year to serve a three (3) year term. The incoming Finance Committee shall meet each year prior to the Department Convention Executive meeting. They shall be charged with the preparation of the yearly budget, and supervise the expenditure of funds under that budget. Chairmen of standing committees shall submit an estimate, of any needed funds for their committee plans, before preparation of the yearly budget.

#### **ARTICLE VI - DISTRICT ORGANIZATION**

Section 1. Organization and administration of Districts shall be in accordance with the National and Department Constitution and the uniform standing rules as prescribed by the Department Convention.

Section 2. The District shall hold one or more District meetings annually.

#### **ARTICLE VII - UNIT ORGANIZATION**

Section 1. The Department Executive Committee may order the suspension of a charter for a period not to extend beyond the closing of the next succeeding Department convention, as a disciplinary measure, or pending action relative to final revocation. A cancellation shall be in order where two (2) or more Units merge, where a Unit voluntarily ceases to function, or under such other conditions as might make such action necessary within a Department.

Section 2. Any Unit falling to meet the obligation imposed upon it by the Constitution and By-Laws or by rulings of Convention or Executive Committee or ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit or refusing to pay the per capita tax due Department and National Organizations, shall upon order of the Department President, surrender its charter. Upon failure to surrender such charter, immediate steps may be taken for its revocation.

Section 3. No Unit in this Department or any member thereof shall circularize any other Unit or any members thereof without the consent of the Department Executive Committee.

Section 4. No Unit in this Department shall present a candidate for a Department or National office whose obligations to the Department and National Organization have not been met.

Section 5. That any Unit being delinquent in payment of any Department obligation fifteen (15) days prior to the Department Convention be denied the privilege of voting at the Department Convention provided the Units delinquent in Department obligations are notified of this deficit at least sixty (60) days prior to the Department Convention.

Section 6. All members handling funds in the Unit shall be bonded with a Security Bond paid by the Units, through the Department.

#### **ARTICLE VIII - FINANCE**

Section 1. The amount of annual dues shall be determined by each Department Convention for the ensuing year.

Section 2. The National and Department dues shall be collected by each Unit and transmitted to the Department Secretary-Treasurer, together with such other sums as may be determined by the Department. Each month said sums shall be transmitted by said Department Secretary, Treasurer to the National Treasurer.

Section 3. All special funds shall be administered as directed by the Department Executive Committee.

Section 4. The funds of the Department shall be disbursed by the Secretary-Treasurer by the budget worked out by the Finance Committee and approved by the Executive Committee.

Section 5. All persons handling funds of this Department shall be bonded with a security bond at Department expense.

#### **ARTICLE IX - DISCIPLINE**

Section 1. For any violation of the State or National Constitution, or for conduct improper and prejudicial to the welfare of the Auxiliary or to the American Legion, any member may be expelled from membership or any officer removed from office by a two-thirds vote at a Unit meeting duly called for that purpose. Said expulsion or removal shall be binding only in the event said member or officer shall have been given thirty (30) days notice in writing by the Unit Executive Committee of the charges and the hearing thereon. Either part may have the right of appeal to the Department Executive Committee, and its action thereon shall be final. The expense of said appeal shall be borne by the applicant.

Section 2. Expulsion from one Unit does not prevent a member from applying for membership in any other Unit.

#### **ARTICLE X - DELINQUENT MEMBERS**

Section 1. A member failing to pay the annual dues, including the Unit, State and National assessments for the fiscal year, shall be dropped from the membership rolls and may be reinstated only by paying all back dues or by re-establishing her eligibility.

#### **ARTICLE XI - CHARTERS**

Section 1. The Department Executive Committee may revoke, cancel or suspend Unit charters.

Section 2. Any Unit failing to meet the obligations imposed upon it by the Constitution and By-Laws or by rulings of Convention or Executive Committee or ceasing to function from one Department Convention to the next as an American Legion Auxiliary Unit, or refusing to pay the per capita tax due Department and National Organizations, shall upon order of the Department President surrender its charter. Upon failure to surrender its charter, immediate steps may be taken by the Department Executive Committee for the revocation of the same.

Section 3. Units suffering the revocation of their charters may appeal from the decision of the Department Executive Committee to the National Executive Committee, as hereinafter prescribed.

Section 4. Upon notice of appeal, the National President shall appoint a subcommittee of not more than five (5) nor less than three (3) members of the National Executive Committee for the purpose of passing upon the action of the Department Executive Committee in revocation of said charter. This committee shall meet at least one (1) day prior to the meeting of the National Executive Committee next following such revocation and to this committee shall be referred to the complete record in writing of said revocation with such exceptions thereto as are made by the Unit of which the charter has been revoked. This committee shall review the cause and recommend to the National Executive Committee the action to be taken thereon.

Section 5. All new charter applications shall be approved by the Department Executive Committee.

#### **ARTICLE XII - PARLIAMENTARY AUTHORITY**

Section 1. The Department Organization shall be governed by the "Current Edition of Robert's Rules of Order, Newly Revised" in all points not covered by this Constitution and By-Laws and the National Constitution and By-Laws.

#### **ARTICLE XIII - AMENDMENTS**

Section 1. The By-Laws of the Department may be amended at any Department Convention by the vote of two-thirds of the total authorized representation thereat, provided that proposed amendment shall have been submitted through the Department Secretary to the several Units and members of the Executive Committee by mailing same to them at least thirty (30) days prior to the convening of the next Department Convention, provided further, it may be amended by unanimous vote at any Department Convention without notice and further provided that all proposed amendments shall be read at a regular session of the Convention at least twelve (12) hours before the vote is taken.

Section 2. Units may propose amendments provided said amendments have been officially approved by said Units.

Section 3. Amendments to the National Constitution and By-Laws adopted by the National Convention action shall automatically become effective in this Department.

#### **ARTICLE XIV - AUTHORITY**

Section 1. The authority under which all Departments and Units of the American Legion Auxiliary shall function is vested in The National Constitution and By-Laws and such Standing Rules as have been duly adopted and set forth in the *Unit Handbook* of the American Legions Auxiliary. Any provision of any Department or Unit Constitution or By-Laws or any regulation of any Department or Unit in conflict with the foregoing authority shall be void.

## **STANDING RULES DEPARTMENT OF GEORGIA AMERICAN LEGION AUXILIARY**

### **PREFACE**

Standing Rules are rules and regulations for the guidance of an assembly, which have been adopted, the same as ordinary resolutions by a majority vote without previous notice.

A standing rule may be amended or rescinded by a two-thirds vote, or if notice has been given, by a majority vote. Standing rules are usually adopted from time to time, as they are needed, in the form of resolutions.

The Georgia Department, American Legion Auxiliary was organized in Columbus, Georgia, July 5, 1921, during the Third Annual Convention, American Legion.

1. The Department Headquarters for the American Legion Auxiliary, Department of Georgia shall be maintained in the American Legion Headquarters building in Stockbridge, Georgia.
2. The American Legion Auxiliary shall operate as an independent organization subject only to the policies of the American Legion. We shall work in harmony with the American Legion.
3. The Judge Advocate shall be Counsel General of the American Legion.
4. The dates and place of the Department Convention shall conform to that of the American Legion.
5. The Department President shall be Chairman of the convention.
6. The Department Secretary shall be Secretary of the convention.
7. The District Presidents, officers, Past Department Presidents and Chairmen of the American Legion Auxiliary shall be advised of all plans, membership reports and financial reports of the Department.
8. Units shall be governed by the National Constitution and By-Laws, the Department Constitution and By-Laws and Articles of their own Unit Constitution and By-Laws. All matters not covered by these documents shall be governed by the current edition of Roberts Rules of Order.
9. Units shall be guided by the Unit Handbook, the Manuel of Ceremonies and other publications of the Department and National organizations prepared for their information and guidance in the conduct of their programs and the administration of their Units.
10. The Department Executive Committee shall meet before Fall and Spring Conference and before and after Conventions. Matters coming up between conventions shall be decided by the Executive Committee.
11. All Past Department Presidents in good standing shall be members of the Executive Committee with vote.
12. Cancellation of Charters shall be presented at Pre-Convention Executive Committee meetings.

13. Department Chairmen are required to keep a file of their activities and same shall be turned over to their successor.
14. No material shall be sent out by any members or Unit to other Units or members except through Department Headquarters.
15. Names and addresses of all Unit officers for the incoming year must be sent to Department Headquarters thirty (30) days before the Department Convention.
16. All Department Obligations must be paid fifteen (15) days before Department Convention for the Unit to be able to vote, provided that Units are notified sixty (60) days in advance.
17. All persons handling funds in the Department and Units shall be bonded, by the Department with Unit bond to be paid by the Unit. Amount to be set by Department.
18. The Book of Reports shall be assembled by out-going President with price to be held as reasonable as possible.
19. The Chairmen shall be required to attend at least one half of sessions at Conference or Convention in order to receive mileage.
20. All Units shall be required to send copies of the Unit's Constitution and By-Laws to Department Constitution and By-Laws Chairman and to revise them when necessary. Copies are to be put on file at Department Headquarters by the Constitution and By-Laws Chairman.
21. The delegates not elected to National Convention shall serve as alternates. The President to have the privilege of filling any vacancies with alternates. The President to select pages who are not delegates. Only elected alternates shall serve at the National Convention.
22. All candidates for State office shall use standard size announcement cards with American Legion Auxiliary Emblem at the top - printed in dark blue ink. The candidate for Department President shall be allowed to send her announcement first and use her discretion in announcement used.
23. Mileage shall be paid to Executive Committee members and chairmen to conferences and conventions. Amount to be set by the Executive Committee.
24. A "Blue Book" Unit activity guide shall be printed with officers and chairmen to have this list at hand if needed.
25. The Finance Committee shall be authorized to make a complete study of all investments of the American Legion Auxiliary, Department of Georgia and act upon if feasible.